

AMENDED IN SENATE MARCH 25, 2011

SENATE BILL

No. 846

Introduced by Senator Berryhill

February 18, 2011

An act to amend Section ~~81304~~ *10004.5* of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 846, as amended, Berryhill. ~~Bay Area Water Supply and Conservation Agency. California Water Plan: water data.~~

Existing law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as the California Water Plan. Existing law prescribes the contents of the California Water Plan, and requires the department to include a discussion of various strategies in the plan, including strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, and water transfers that may be pursued in order to meet the future needs of the state.

This bill would additionally require the department to include in the plan an assessment of the state's water data system.

~~The Bay Area Water Supply and Conservation Agency Act governs the formation and operation of the Bay Area Water Supply and Conservation Agency. The act includes legislative findings and declarations with respect to the San Francisco regional water system and the establishment of the agency.~~

~~This bill would make technical, nonsubstantive changes to those legislative findings and declarations.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 10004.5 of the Water Code is amended
2 to read:

3 10004.5. (a) As part of the requirement of the department to
4 update The California Water Plan pursuant to subdivision (b) of
5 Section 10004, the department shall include in the plan a discussion
6 of various strategies, including, but not limited to, those relating
7 to the development of new water storage facilities, water
8 conservation, water recycling, desalination, conjunctive use, and
9 water transfers that may be pursued in order to meet the future
10 water needs of the state. The department shall also include a
11 discussion of the potential for alternative water pricing policies to
12 change current and projected uses. The department shall include
13 in the plan a discussion of the potential advantages and
14 disadvantages of each strategy and an identification of all federal
15 and state permits, approvals, or entitlements that are anticipated
16 to be required in order to implement the various components of
17 the strategy.

18 (b) *The department shall include in the plan an assessment of*
19 *the state's water data system.*

20 SECTION 1. ~~Section 81301 of the Water Code is amended to~~
21 ~~read:~~

22 ~~81301. The Legislature finds and declares all of the following:~~

23 ~~(a) Many separate cities, districts, and public utilities are~~
24 ~~responsible for distribution of water in portions of the Bay Area~~
25 ~~served by the regional water system operated by the City and~~
26 ~~County of San Francisco. Residents in the Counties of Alameda,~~
27 ~~San Mateo, and Santa Clara, who depend on the water made~~
28 ~~available on a wholesale basis by the regional water system, have~~
29 ~~no right to vote in elections in the City and County of San~~
30 ~~Francisco and are not represented on the San Francisco commission~~
31 ~~that oversees operation of the regional water system.~~

32 ~~(b) The San Francisco regional water system is vulnerable to~~
33 ~~catastrophic damage in a severe earthquake, which could result in~~
34 ~~San Francisco and neighboring communities being without potable~~
35 ~~water for up to 60 days. The San Francisco regional water system~~

1 is also susceptible to severe water shortages during periods of
2 below average precipitation because of insufficient storage and
3 the absence of contractual arrangements for alternative dry year
4 supplies.

5 (e) The lack of a local, intergovernmental, cooperative
6 governance structure for the San Francisco regional water system
7 prevents a systematic, rational, cost-effective program of water
8 supply, water conservation, and recycling from being developed,
9 funded, and implemented.

10 (d) It is the intent of the Legislature to enable local governments
11 responsible for water distribution in the Counties of Alameda, San
12 Mateo, and Santa Clara to establish a multicounty agency
13 authorized to plan for and acquire supplemental water supplies, to
14 encourage water conservation and use of recycled water on a
15 regional basis, and to assist in the financing of essential repairs
16 and improvements to the San Francisco regional water system,
17 including seismic strengthening.

18 (e) The need for coordinated planning and implementation of
19 strategies for water supply, water conservation, water recycling,
20 and repair and improvement of the San Francisco regional system
21 may appropriately lead to the establishment of the Bay Area Water
22 Planning and Conservation Agency.